

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

JASPER LEE VICK,

Petitioner,

vs.

STEPHEN DOTSON,

Respondent.

No. 10-2212-STA-cgc

ORDER DIRECTING PETITIONER TO SUBMIT
AN AMENDED PETITION ON THE OFFICIAL FORM
AND TO SIGN THE PETITION UNDER PENALTY OF PERJURY

On March 15, 2010, Petitioner Jasper Lee Vick, Tennessee Department of Correction prisoner number 139471, an inmate at the Whiteville Correctional Facility ("WCF") in Whiteville, Tennessee, filed a pro se petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254, entitled "Extraordinary and Emergency Petition for the Great Writ of Habeas Corpus, Demanding Immediate Release from State Custody, Because Vick is Under Imminent Danger and Held by the State Without Jurisdiction, in Violation of the Constitution, Laws, and Treaties of the United States," accompanied by a motion seeking leave to proceed in forma pauperis. (Docket Entries ("D.E.") 1 & 2.) The Court issued an order on April 5, 2010, granting leave to proceed in forma pauperis. (D.E. 3.) The Clerk shall record the respondent as WCF Warden Stephen Dotson.

Pursuant to Rule 2(d) of the Rules Governing Section 2254 Cases in the United States District Courts ("Section 2254 Rules"), a petition pursuant to 28 U.S.C. § 2254 "must substantially follow either the form appended to these rules or a form prescribed by a local district-court rule." This district uses the form promulgated by the Administrative Office of the United States Courts ("AO"). The petition was not filed on the official form and does not substantially conform to the format of the official form. In order for the Court to efficiently review this prisoner's claims and to evaluate whether each claim raised in this petition was exhausted in state court, it is necessary that Petitioner properly complete the form petition.

Therefore, Vick is ORDERED, within thirty (30) days of the date of entry of this order, to submit an amended petition on the official form. The amended petition must be signed under penalty of perjury, as required by Rule 2(c)(5) of the Section 2254 Rules.

The Clerk shall send Petitioner a copy of the official form. If Petitioner needs additional time to complete the form, he may apply for an extension of time on or before the expiration of the thirty-day period.

Failure timely to comply with any requirement of this order will result in dismissal of the petition without prejudice, pursuant to Fed. R. Civ. P. 41(b), for failure to prosecute.

IT IS SO ORDERED this 5th day of May, 2010.

s/ S. Thomas Anderson
S. THOMAS ANDERSON
UNITED STATES DISTRICT JUDGE